

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA,)	
)	
)	
v.)	CRIMINAL ACTION
)	NO. 04-40026-FDS
BRIAN VALLEE, a/k/a "Chunky",)	
Defendant,)	
_____)	

FINAL STATUS REPORT
October 19, 2005

SWARTWOOD, C.M.J.

The following is a Final Status Report to Saylor, J. to whom this case is assigned:

1. Rule 11 Hearing

Counsel for the parties have requested that this case be returned to Judge Saylor for a Rule 11 hearing. I have granted that request. Counsel are not sure as to whether or not this will be a plea with or without an agreement.

2. Interstate Agreement On Detainers ("IAD")

Mr. Vallee has signed IAD waivers for the period from the day he first appeared in this Court through October 19, 2005.

3. Excludable Time

At the request of the Government and with the assent of counsel for Mr. Vallee, I am excluding from the Speedy Trial Act,

the period from October 14, 2005 (date of expiration of prior order of excludable time) through October 19, 2005 (date requested by Mr. Vallee's counsel for a final status report). Therefore, I have excluded from the Speedy Trial Act, the entire period from date of arraignment through October 19, 2005 and assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Wednesday, December 28, 2005.

/s/Charles B. Swartwood, III
CHARLES B. SWARTWOOD, III
CHIEF MAGISTRATE JUDGE